

For further information concerning these investigations see the Commission's notices of investigations cited above and the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

**Authority:** These investigations are being conducted under authority of the Tariff Act of 1930, title VII. This notice is published pursuant to section 207.20 of the Commission's rules.

By order of the Commission.

Issued: February 9, 1995.

**Donna R. Koehnke,**  
*Secretary.*

[FR Doc. 95-3758 Filed 2-14-95; 8:45 am]

BILLING CODE 7020-02-P

[Investigation No. 337-TA-368]

**Certain Rechargeable Nickel Metal Hydride Anode Materials and Batteries, and Products Containing Same; Notice of Decision Not To Review Initial Determination Granting Joint Motion To Terminate the Investigation With Respect to Respondents Toshiba Battery Co., Toshiba America Information Systems, Inc., and Toshiba America Consumer Products, Inc., on the Basis of a License Agreement**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (ID) (Order No. 10) issued on January 12, 1995, by the presiding administrative law judge (ALJ) in the above-captioned investigation granting the joint motion of complainants Energy Conversion Devices, Inc. and Ovonic Battery Co., Inc. and respondents Toshiba Battery Co., Toshiba America Information Systems, Inc., and Toshiba America Consumer Products, Inc. (collectively "the Toshiba companies") to terminate the investigation as to the Toshiba companies on the basis of a licensing agreement.

**FOR FURTHER INFORMATION CONTACT:** Marc A. Bernstein, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone 202-205-3087.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation, which concerns allegations of section 337 violations in the importation, sale for importation, and sale after importation of certain

rechargeable nickel metal hydride anode materials and batteries and products containing same, on September 8, 1994. Complainants allege infringement of claims 1-17, 22, 23, 25, 27, and 32 of U.S. Letters Patent 4,623,597 ("the '597 patent").

On December 22, 1994, complainants and the Toshiba companies filed a joint motion to terminate the investigation with respect to the Toshiba companies on the basis of a licensing agreement. The ALJ issued an ID granting the joint motion and terminating the investigation as to the Toshiba companies. No petitions for review of the ID were filed. No agency or public comments were received.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, and Commission rule 210.42, 19 CFR 210.42.

Copies of the nonconfidential version of the ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

By order of the Commission.

Dated: February 6, 1995.

**Donna R. Koehnke,**  
*Secretary.*

[FR Doc. 95-3759 Filed 2-14-95; 8:45 am]

BILLING CODE 7020-02-P

## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993—Interoperable System Project Foundation

Notice is hereby given that, on July 5, 1994, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. § 4301 *et seq.* ("the Act"), the Interoperable System Project Foundation ("ISPF") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages

under specified circumstances. Specifically, the identities of the new members are as follows: ABB Corporate Research, Dept. KL, Vasteras, Sweden; Apparatebau Hundsbach GmbH, Baden-Baden, Germany; Beamex Oy Ab, Pietarsaari, Finland; Bray International, Inc., Houston, TX; Chevron Research and Technology Co., Richmond, CA; ifak, Barleben, Germany; Knick Elektronische Meßgeräte GmbH & Co., Berlin, Germany; Politecnico di Torino-Dai, Torino, Italy; Ramsey Technology, Inc., Minneapolis MN; Rosemount Analytical Inc., Eden Prairie, MN; Simrad Albatross AS, Kongsberg, Norway; and Toshiba Corporation, Tokyo, Japan. The following parties are no longer members of ISP: KDG Mobrey Ltd.; Fachhochschule Landshut; Asea Brown Boveri; and Rosemount Measurement Division.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and ISPF intends to file additional written notifications disclosing all changes in membership.

On May 7, 1993, ISPF filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on September 23, 1993 (58 FR 49529).

The last notification was filed with the Department on April 5, 1994. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on May 18, 1994 (59 FR 25960).

**Constance K. Robinson,**  
*Director of Operations, Antitrust Division.*  
[FR Doc. 95-3723 Filed 2-14-95; 8:45 am]

BILLING CODE 4410-01-M

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993—Edison Industrial Systems Center

Notice is hereby given that, on December 21, 1994, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. § 4301 *et seq.* ("the Act"), Edison Industrial Systems Center has filed written notification simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to Section 6(b) of the Act, the identities of

the parties are Edison Industrial Systems Center, Toledo, OH; Doehler-Jarvis, Toledo, OH; and AI WARE, Cleveland, OH. The project's general area of planned activity is to develop and demonstrate the application of sensors and neural network technology to the monitoring and control of the aluminum die casting process. The activities of this Joint Venture will be partially funded by an award from the Advanced Technology Program, National Institute of Standards and Technology, Department of Commerce.

**Constance K. Robinson,**

*Director of Operations, Antitrust Division.*

[FR Doc. 95-3722 Filed 2-14-95; 8:45 am]

BILLING CODE 4410-01-M

#### **Notice Pursuant to the National Cooperative Research and Production Act of 1993—Catalytica, Inc.**

Notice is hereby given that, on December 22, 1994, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. Section 4301 *et seq.* ("the Act"), Catalytica, Inc., for itself and on behalf of its members, has filed written notification simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of plaintiffs to actual damages under specified circumstances. Pursuant to Section 6(b) of the Act, the identities of the parties are Catalytica, Inc., Mountain View, CA; and Microfluidics, Newton, MA. The project's general area of planned activity is to develop and commercialize technology for the production of nanomaterials using Microfluidizer technology for catalyst application. The activities of this joint venture project will be partially funded by an award from the Advanced Technology Program, National Institute of Standards and Technology, Department of Commerce.

**Constance K. Robinson,**

*Director of Operations Antitrust Division.*

[FR Doc. 95-3721 Filed 2-14-95; 8:45 am]

BILLING CODE 4410-01-M

#### **Notice Pursuant to the National Cooperative Research and Production Act of 1993—Healthcare Information Infrastructure Proposal (HIIT)**

Notice is hereby given that, on September 27, 1994, pursuant to Section 6(a) of the National Cooperative

Research and Production Act of 1993, 15 U.S.C. § 4301 *et seq.* ("the Act"), the South Carolina Research Authority ("SCRA") filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties to the venture and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to Section 6(b) of the Act, the identities of the parties, led by SCRA, Columbia, SC, under the Healthcare Open Systems & Trials (HOST) Consortium, Austin, TX, are General Electric Corporate Research and Development, Schenectady, NY; Microelectronics & Computer Technology Corporation, Austin, TX; Medical University of South Carolina, Charleston, SC; BellSouth Business Systems, Columbia, SC; TransQuick, Inc., Atlanta, GA; Coleman Research Corporation, Springfield, VA; Marco International, Calverton, MD; Connecticut Hospital Research and Education Foundation, Wallingford, CT; University of Georgia, Athens, GA; and New Jersey Institute of Technology, Newark, NJ. The Healthcare Information Infrastructure Technology ("HIIT") is an innovative, industry-led program involving healthcare and technology experts. The general area of planned activity is to develop infrastructure tools that will accelerate the adoption of open systems, enabling the emergence of the virtual healthcare enterprise. SCRA is responsible for managing the overall effort.

**Constance K. Robinson,**

*Director of Operations, Antitrust Division.*

[FR Doc. 95-3725 Filed 2-14-95; 8:45 am]

BILLING CODE 4410-01-M

#### **Notice Pursuant To The National Cooperative Research And Production Act Of 1993—Phosphoric Acid Steering Committee And Joint Venture**

Notice is hereby given that, on December 28, 1994, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. Section 4301 *et seq.* ("the Act"), Phosphoric Acid Steering Committee and Joint Venture has filed written notification simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances.

Specifically, the new members to the Phosphoric Acid Joint Venture are: Chemax, Portland, OR and Venus Laboratories, Inc., Wood Dale, IL. In addition, the corporate name of Diversey Corp., Livonia, MI was previously incorrect.

No other changes have been made in either the membership, corporate names, or planned activities of the joint venture.

On April 26, 1991, the Phosphoric Acid Joint Venture filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on May 20, 1991 (56 FR 23089). An additional notification was filed by Diversey Corp., on June 1, 1992 and published in the **Federal Register** on July 9, 1992 (57 FR 30510).

**Constance K. Robinson,**

*Director of Operations, Antitrust Division.*

[FR Doc. 95-3724 Filed 2-14-95; 8:45 am]

BILLING CODE 4410-01-M

#### **Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as Amended**

Consistent with Departmental policy, 28 CFR 50.7 and Section 122 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. Section 9622, notice is hereby given that a proposed Consent Decree in *United States v. Beazer East, Inc.*, Civ. Act. No. 5:95-CV-62-BO(2), was lodged on January 26, 1995, with the United States District Court for the Eastern District of North Carolina, Western Division.

This case concerns the Koppers Co., Inc. (Morrisville Plant) Superfund site, In Morrisville, Wake County, North Carolina (the "Site"). Pursuant to Section 107 of CERCLA, 42 U.S.C. Section 9607, the Complaint in this action seeks recovery of all response costs incurred in response to the release or threatened release of hazardous substances at the Site.

Defendant Beazer East, Inc., (the "Settling Defendant") has agreed in the proposed Consent Decree to pay the United States \$1,023,475.15 to reimburse response costs incurred by the United States with respect to the Site prior to March 5, 1994.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney